

REMARKS

This application has been reviewed in light of the Office Action dated May 28, 2004.

Claims 1, 4-11, 15-22 and 25-31 are now presented for examination. Claims 2, 3, 12-14, 23 and 24 have been cancelled without prejudice. Claims 1, 8, 11, 22 and 29 have been amended to more particularly point out and distinctly claim the subject matter regarded as the invention. Claims 1, 11 and 22 are independent. Favorable review is respectfully requested.

It is noted that claim 1 has been amended to incorporate the features of dependent claims 2 and 3. Similarly, claim 11 has been amended to incorporate the features of claims 13 and 14, and claim 22 has been amended to incorporate the features of claims 23 and 24.

Claims 1-31 were rejected under 35 U.S.C. § 102(e) as being anticipated by Gudjonsson et al. (U.S. Pat. No. 6,564,261). Claims 2, 3, 12-14, 23 and 24 have been cancelled, thereby rendering rejection of those claims moot. The applicant respectfully submits that independent claims 1, 11 and 22 are patentably distinct from the cited art, for the following reasons.

The present invention, as defined in amended claim 1, is directed to a method for use by a service provider to facilitate communication between customers of the service provider. The method includes the steps of confirming the identity of each customer; transmitting code to each customer to enable encrypted communication; and obtaining information regarding the customer's computing environment. It is a feature of the invention that these steps are performed via the Internet. In addition, the claim includes a step of establishing a communication path to each customer by contacting a vendor of connectivity services via the Internet to obtain those services for use by the customers. Furthermore, the claim includes a step of altering the communication path during the communication, in accordance with customer requirements (that is, the path may be expanded, contracted or rerouted dynamically; see specification, page 8, lines 3-7).

It is respectfully submitted that the above-noted features of the invention are not taught in Gudjonsson et al. In particular, the applicant has not found any teaching in the cited reference regarding contacting a vendor of connectivity services via the Internet to obtain such services. Gudjonsson et al. is understood to describe a system in which multiple users can

connect in a communication network having one or more servers, the servers running a number of services provided according to a protocol (col. 8, lines 3-17). The Examiner points to a section of Gudjonsson et al. (page 2, lines 16-29, in the discussion of prior art) which describes networks, “running on top of the Internet,” that permit users to send text messages to each other, in accordance with a messaging protocol. Gudjonsson et al. then briefly describes another protocol by which users may invite other users to communication sessions. In these descriptions of messaging and initiation protocols, Gudjonsson et al. does not teach how connectivity is established between users, and in particular does not disclose or suggest contacting a vendor of connectivity services via the Internet.

Furthermore, Gudjonsson et al. does not disclose altering the communication path between customers during the communication. Gudjonsson et al. describes a cluster of servers providing connectivity, with connectivity being established between users in accordance with a protocol (col. 8, lines 10-17; col. 9, lines 8-22). Once a connection is established between users, Gudjonsson et al. suggests that the communication path is maintained unchanged until the communication session ends. In the present invention, by contrast, the path is altered during the communication in accordance with customer requirements.

Gudjonsson et al. suggests that users engage in communication (or invite each other to do so) without exchanging identities (col. 10, lines 28-46). This is contrary to the present invention, in which the identity of each customer is confirmed.

Accordingly, it is submitted that Gudjonsson et al. fails to teach each and every element of claim 1, so that the invention defined by claim 1 is not anticipated by that reference.

Claims 11 and 22 are directed to a system including a server and a computer program product, respectively, reciting features similar to those discussed above. It therefore is submitted that claims 11 and 22 also are not anticipated by the cited reference, for the same reasons as discussed above.

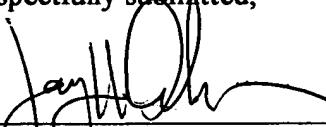
The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons.

Since each dependent claims are also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the applicant respectfully requests favorable consideration and early passage to issue of the present application.

The applicant's undersigned attorney may be reached by telephone at (845) 894-3667. All correspondence should continue to be directed to the below listed address.

Respectfully submitted,



Jay H. Anderson
Attorney for Applicant
Registration No. 38,371

INTERNATIONAL BUSINESS MACHINES CORPORATION
Intellectual Property Law Department
B/300-482
2070 Route 52
Hopewell Junction, New York 12533
Facsimile: (845) 892-6363